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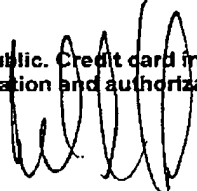
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PTO/SB/31 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		<b>Docket Number (Optional)</b> P-7770-US3	
In re Application of FRANKEL, Fred R Et al.			
Application Number 10/660,194		Filed September 11, 2003	
IMMUNOGENIC COMPOSITIONS COMPRISING DAL/DAT For DOUBLE MUTANT, AUXOTROPHIC ATTENUATED STRAINS OF LISTERIA AND THEIR METHODS OF USE			
Group Art Unit 1648		Examiner PARKIN, JEFFREY S	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated, June 14, 2007, rejecting the following claims: 21-29			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ 510	
<input checked="" type="checkbox"/> Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ 205	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment is by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-3355. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>			
I am the		Signature	
<input type="checkbox"/> applicant.			
<input type="checkbox"/> assignee of record of the entire interest.		Name: Mark S. Cohen Reg. No. 42,425	
<input checked="" type="checkbox"/> attorney or agent of record.		Typed or printed name	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a).			
Registration number if acting under 37 CFR 1.34(a).			
Pearl Cohen Zedek Latzer, LLP		December 13, 2007	
1500 Broadway, 12th Floor		Date	
New York, New York 10036			
Tel: (646) 878-0800			
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